

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JAMES M. PLASSE

Plaintiff,

vs.

TYCO ELECTRONICS
CORPORATION,

Defendant.

Civil Action No.

FILED
CLERK'S OFFICE

2004-10-01

U.S. DISTRICT COURT
DISTRICT OF MASS.

TYCO ELECTRONICS CORPORATION'S ANSWER TO COMPLAINT

Defendant Tyco Electronics Corporation answers Plaintiff's Complaint as follows:

1. Defendant admits the allegations contained in paragraph 1 of Plaintiff's Complaint.
2. Defendant admits the allegations contained in paragraph 2 of Plaintiff's Complaint.
3. Defendant admits that Plaintiff became employed by Defendant's Printed Circuit Group as a controller in August 2000. Defendant denies the remaining allegations contained in paragraph 3 of Plaintiff's Complaint.
4. Defendant denies the allegations contained in paragraph 4 of Plaintiff's Complaint.
5. Defendant admits that Plaintiff's employment was terminated in February 2002. Defendant denies the remaining allegations contained in paragraph 5 of Plaintiff's Complaint.

6. Plaintiff admits the allegations contained in paragraph 6 of Plaintiff's Complaint.

7. Defendant admits that it maintains and disseminates to employees policies and standards of conduct. Defendant denies that Plaintiff has accurately described or characterized those policies and standards, and denies the remaining allegations contained in paragraph 7 of Plaintiff's Complaint.

COUNT I
Wrongful Termination

8. Defendant restates each of the responses contained in paragraph 1 through paragraph 7.

9. Defendant denies the allegations contained in paragraph 9 of Plaintiff's Complaint.

COUNT II
Promissory Estoppel

10. Defendant restates each of the responses contained in paragraph 1 through paragraph 9.

11. Defendant denies that Plaintiff has accurately characterized its policies concerning employee reporting of illegal or unethical conduct, and denies the remaining allegations contained in paragraph 11 of Plaintiff's Complaint.

FIRST AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails to state a claim upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails because Plaintiff was an employee at will, and Plaintiff's employment was terminated for legitimate reasons, in the valid exercise of Defendant's business judgment.

THIRD AFFIRMATIVE DEFENSE

Plaintiff's Complaint fails due to laches.

FOURTH AFFIRMATIVE DEFENSE

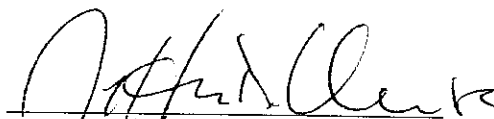
Any claim of Plaintiff fails or is reduced due to the Plaintiff's failure to mitigate any damages allegedly incurred.

WHEREFORE, Defendant demands that the Plaintiff's Complaint be dismissed, that judgment be entered in favor of Defendant and against Plaintiff, and that Defendant be awarded its costs and fees, and any appropriate further relief.

Respectfully submitted,

TYCO ELECTRONICS CORPORATION,

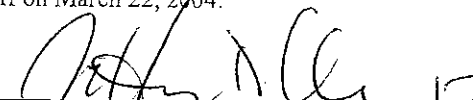
By its attorneys:



Jeffrey D. Clements, BBO #632544
Clements & Clements LLP
50 Federal Street
Boston, MA 02110
(617) 451-1803

CERTIFICATE OF SERVICE

I, Jeffrey D. Clements, hereby certify that a copy of the foregoing document was served by first class mail to counsel of record for the plaintiff on March 22, 2004.


Jeffrey D. Clements